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12
13 **UNITED STATES DISTRICT COURT**
14 **NORTHERN DISTRICT OF CALIFORNIA**
15 **SAN FRANCISCO DIVISION**

16 **IN RE: CATHODE RAY TUBE (CRT)**
17 **ANTITRUST LITIGATION**

18 **THIS DOCUMENT RELATES TO:**

19 Individual Case No. 13-cv-2171 (SC)

20 **DELL INC. and DELL PRODUCTS L.P.,**

21 **Plaintiffs,**

22 **v.**

23 **HITACHI, LTD., ET AL.,**

24 **Defendants.**

Master File No. 3:07-cv-5944 SC

MDL No. 1917

**DELL PLAINTIFFS' AND
MITSUBISHI ELECTRIC
DEFENDANTS' STIPULATION OF
WITHDRAWAL OF PENDING
MOTIONS**

ORDER

FILED
NOV 02 2015
SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

1 Plaintiffs Dell Inc. and Dell Products L.P. (collectively, "Dell") and Defendants Mitsubishi
 2 Electric Corporation, Mitsubishi Electric US, Inc., and Mitsubishi Electric Visual Solutions
 3 America, Inc. (collectively, "Mitsubishi Electric"), by and through undersigned counsel, hereby
 4 stipulate as follows:

5 WHEREAS, on October 27, 2015, Dell and Mitsubishi Electric filed a stipulation with the
 6 Court seeking dismissal of Dell's claims against Mitsubishi Electric in this action (MDL Dkt. No.
 4148);

7 WHEREAS, at the time of this stipulation, Mitsubishi Electric has filed, or has joined,
 8 certain summary judgment motions pending against Dell;

9 WHEREAS, in light of the stipulated dismissal of Dell's causes of action against Mitsubishi
 10 Electric, Mitsubishi Electric seeks to withdraw these motions, or seeks to withdraw its joinder to
 11 these motions, as they pertain to Dell; and

12 WHEREAS, Mitsubishi Electric does not seek to withdraw these motions as they pertain to
 13 any other parties, nor does this stipulation affect motions brought by or joined by any other
 defendant;

14 IT IS HEREBY STIPULATED AND AGREED by and between counsel for Dell and
 15 Mitsubishi Electric, subject to the concurrence of the Court, that:

16 1. Mitsubishi Electric withdraws the following motions, or its joinder in the following
 17 motions, as to—and only as to—Dell:

18 a) Motion for Partial Summary Judgment for Lack of Standing as to Direct Action
 19 Plaintiffs' Sherman Act Damage Claims Based on CRT Product Purchases from
 Sanyo (MDL Dkt. No. 2983);

20 b) Motion for Summary Judgment Based Upon Plaintiffs' Failure to Distinguish
 21 Between Actionable and Non-Actionable Damages Under FTAIA (MDL Dkt. No.
 22 3008);

23 c) Motion for Partial Summary Judgment on FTAIA Grounds (MDL Dkt. No.
 24 3032);

25 d) Motion for Summary Judgment Based Upon Absence of Evidence of Liability
 (MDL Dkt. No. 3037);

26 e) Motion for Partial Summary Judgment against Dell and Sharp Plaintiffs on
 27 Statute of Limitations Grounds (MDL Dkt. No. 3044);

28 f) Domestic Mitsubishi Electric Entities' Motion for Summary Judgment (MDL
 Dkt. No. 3048);

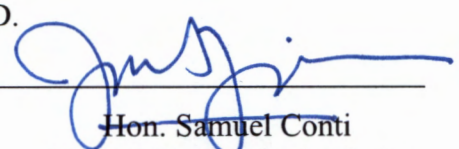
g) Motion for Partial Summary Judgment on Withdrawal Grounds (ECF No. 3086);
h) Joint Notice of Motion and Motion for Summary Judgment Based Upon
Plaintiffs' Foreign Transactions Barred by the FTAIA (MDL Dkt. No. 3003); and
i) Motion to Exclude Certain Expert Testimony of Professor Kenneth Elzinga (MDL
Dkt. No. 3174).

2. Each of the above-referenced motions will remain pending as to other Plaintiffs' claims to which they are directed and shall remain pending as to Dell insofar as the motions have been made by or joined by other Defendants.

3. The undersigned parties jointly and respectfully request that the Court enter this Stipulation as an order.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 11/2/15


Hon. Samuel Conti
United States District Judge

Hon. Jon S. Tigar

Dated: October 30, 2015

Respectfully Submitted,

By: Debra D. Bernstein

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Pursuant to General Order No. 45, § X-B, the filer attests that concurrence in the filing of this document has been obtained from each of the above signatories.